

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**[PROPOSED] ORDER GRANTING
PLAINTIFF SINHDARELLA, INC.'S
MOTION FOR PRELIMINARY
INJUNCTION**

[Declarations of Dada Ngo, Sinh Nguyen, Giang
Nguyen, Michael W. De Vries, Andrew Fossum,
Steven McFarland, Notice of Motion and Motion
for Preliminary Injunction, Memorandum of
Points and Authorities, and Appendices of
Customer and Employee Declarations filed
concurrently herewith]

Date: February 7, 2008

Time: 8:00 a.m.

Location: Courtroom 9

1 This matter comes before the Court on Plaintiff Sinhdarella, Inc.'s ("Sinhdarella")
2 Motion for Preliminary Injunction ("Motion"). After full consideration of the Motion and the
3 papers submitted, having considered the pleadings, records, and files in this action, and upon
4 hearing argument of counsel, Sinhdarella having shown that it is entitled to the injunctive relief
5 requested:

6 IT IS HEREBY ORDERED THAT:

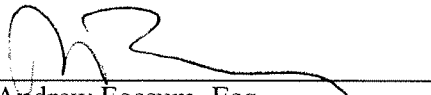
7 Defendant Kevin Vu and his agents, servants, employees, and attorneys, and all
8 those in active concert or participation with them who receive actual notice of this order by
9 personal service or otherwise, are preliminarily enjoined and restrained, pending entry of final
10 judgment from using the name "The Boiling Crab" or any confusingly similar name, including
11 the name "The Boiling Crawfish," in connection with the operation of any restaurant or
12 providing any related restaurant services.

13
14 DATED: _____, 2008

15
16
17 THE HONORABLE WILLIAM H. ALSUP
United States District Court Judge

18
19 Respectfully submitted by:

20 LATHAM & WATKINS LLP

21
22 By 
23 Andrew Fossum, Esq.
Attorneys for Plaintiff
24 SINHDARELLA, INC.

PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 650 Town Center Drive, 20th Floor, Costa Mesa, CA 92626-1925.

On **December 28, 2007**, I served the following document described as:

**[PROPOSED] ORDER GRANTING PLAINTIFF SINHDARELLA, INC.'S MOTION
FOR PRELIMINARY INJUNCTION**

by serving a true copy of the above-described document in the following manner:

BY U.S. MAIL

I am familiar with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service. Under that practice, documents are deposited with the Latham & Watkins LLP personnel responsible for depositing documents with the United States Postal Service; such documents are delivered to the United States Postal Service on that same day in the ordinary course of business, with postage thereon fully prepaid. I deposited in Latham & Watkins LLP' interoffice mail a sealed envelope or package containing the above-described document and addressed as set forth below in accordance with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service:

Christopher Hays, Esq.
Law Offices of Christopher Hays
One Embarcadero Center, Suite 500
San Francisco, California 94111

Attorneys for Defendant
Kevin Vu

I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **December 28, 2007**, at Costa Mesa, California.



Pamela J. Carvalho